



DOCKET NO: B00801.70233

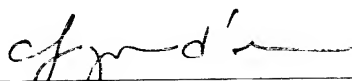
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sean P. Colgan
Serial No: 10/007,255
Confirmation No: 5204
Filed: October 25, 2001
For: COMPOSITIONS AND METHODS FOR TREATING
HEMATOLOGIC MALIGNANCIES AND MULTIPLE
DRUG RESISTANCE
Examiner: unknown
Art Unit: 1614

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 24th day of December, 2002.


Charital Morgan D'Apuzzo

Commissioner for Patents
Washington, D.C. 20231

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case. No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

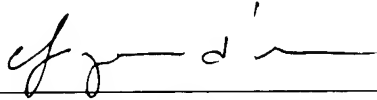
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
Sean P. Colgan, *Applicant*

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Docket No. B00801.70233.US
Date: December 24, 2002
XNDDX

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

FILING DATE: October 25, 2001

CONFIRMATION NO.: 5204

APPLICANT: Colgan et al.

GROUP ART UNIT: 1614

EXAMINER: unknown

Sheet 1 of 1

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
	B1	WO	96/39426	A1	PCT	12-12-1996	
	B2	WO	98/14615	A1	PCT	04-09-1998	
	B3	WO	99/09046	A1	PCT	02-25-1999	
	B4	WO	00/69908	A1	PCT	11-23-2000	
	B5	WO	02/02609	A1	PCT	01-10-2002	

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C1	CANIGGIA et al., "Hypoxia-inducible factor-1 mediates the biological effects of oxygen on human trophoblast differentiation through TGF β_3 ," <i>J. of Clinical Investigation</i> , Vol.105, No. 5, March 2000, pp.577-587.	
	C2	COMERFORD et al., "Hypoxia-inducible Factor-1-dependent Regulation of the Multidrug Resistance (MDR1) Gene" <i>Cancer Research</i> , 62, pp.3387-3394, June 15, 2002.	
	C3	SEMENZA et al., "Hypoxia, Clonal Selection, and the Role of HIF-1 in Tumor Progression," <i>Critical Reviews in Biochemistry and Molecular Biology</i> , 35(2): 71-103 (2000).	
	C4	SEMENZA et al., "Hypoxia-inducible factor 1: master regulator of O ₂ homeostasis," <i>Current Opinion in Genetics & Development</i> , vol. 8, no. 5, October 1998, pp.588-594.	
	C5	WALLACE et al. "Induction of multidrug resistance (mdr-1) gene by hypoxia," <i>Molecular Biology of the Cell</i> , Vol. 11, no. Supplement, December 2000, p. 435a. (abstract)	
	C6	Communication Relating to the Results of the Partial International Search, PCT/US01/49856, November 18, 2002	

EXAMINER

DATE CONSIDERED

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered
Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. ___, filed ___, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).